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ATTORNEY DOCKET NO. FUJI:266

REMARKS

Applicant respectfully requests that the foregoing amendments be made prior to examination of the present application, and respectfully requests reconsideration of the present application in view of the foregoing amendments and the reasons that follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Claims 1, 3 and 4 have been amended to correct formatting. Claim 1 has been amended to clarify that it is the insulating films that contain at least one of Si and Al and at least one of O and N. New claims 7-19 have been added based on the disclosure in paragraphs 55-57 and original claims 2, 3 and 5.

Claims 1-6 are rejected under the Section 102(a) based on Kobayashi *et al.* (JP 2001-052866). The examiner urges that Kobayashi *et al.* disclose organic emitting elements comprising a fluorescence conversion filter as presently recited. More particularly she notes that the figure shows a transparent substrate (2) that reads upon the "transparent supporting substrate," and that multiple filter layers are patterned onto the substrate, citing the figures and paragraph 44. She urges that the filter layers are comprised of fluorescent dyes such as coumarin in a resin and read upon the "color-converting filter layers." She states the filter layers are coated with a UV hardened resin as a protective layer (3), and that the protective layer (3) is coated with an inorganic layer of SiO₂, which read upon the polymeric layer and the insulating component of the "inorganic film layer," respectively. The transparent indium tin oxide (ITO) anode layer that is sputtered on top of the inorganic SiO₂ layer, is urged to read upon both the metallic portion of the "inorganic film layer" and the formation of a first electrode per instant claim 6. She cites organic luminous layer (8) and cathode (10) as reading upon features recited in instant claim 6.

It is particularly notable that the examiner relies upon a single layer in Kobayashi to "read on" two separate layers in the present claims. That is, she states that "the

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transparent indium tin oxide (ITO) anode layer that is sputtered on top of the inorganic SiO₂ layer, is urged to read upon *both* the metallic portion of the "inorganic film layer" and the formation of a first electrode per instant claim 6" (emphasis added). Indium tin oxide layer in Kobayashi is an anode layer, and is described as such in paragraph 51 of the machine translation. It is not the metallic portion of a laminated inorganic film layer as presently claimed.

The impropriety of the approach taken by the examiner of having the anode "read on" the metallic portion of the laminate can be seen by considering Comparative Example 1 in the present specification. This example has the same sequence of layers as described in Kobayashi, namely, a transparent substrate, a color converting/filter layer, a polymeric film layer, an inorganic SiO₂ layer, an ITO anode, a hole injection layer, an organic light-emitting layer, an electron injection layer and cathodes. The results in the table in Figure 5 show that the arrangement has significant deficiencies as compared to devices according to the invention. In particular, the percentage increase in non-light-emitting area is much greater and the brightness decreases more significantly for Comparative Example 1 than for any of the examples according to the invention. This clearly shows that the anode layer of Kobayashi does not serve the function of both anode and metallic component of the inorganic film layer laminate as the examiner asserts.

Kobayashi shows nothing more than other prior art discussed in the background section of applicants' specification. For example, Japanese Patent Application Laid-open No. 8-279394 discloses a method of preventing moisture from infiltrating in to the organic EL light emitter by using an insulating inorganic oxide film layer between the color-converting/filter layers and the organic EL light emitter, *i.e.*, between the polymeric film layer and the transparent electrodes or the hole injection layer. Applicants' specification also discusses Japanese Patent Application Laid-open No. 7-146480 and Japanese Patent Application Laid-open No. 10-10518, which disclose a method of forming an inorganic film layer of SiO_x or SiN_x by DC sputtering on the polymeric film

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layer that has been formed on the colored filter layers, which improves the adhesion of the transparent electrodes.

Claims 1-6 are rejected under Section 102(e) based on Tomiuchi *et al.* (US 6,506,506). The examiner urges that Tomiuchi discloses organic light-emitting devices comprising fluorescent color conversion filters, which comprise:

a transparent substrate (5), color conversion film (1) (formed of a fluorescent dye in a matrix resin such as a photo-setting resin, see col. 9, lines 29-0), multiple filters (2)/(3)/(4), protective layer (6), inorganic layer (7) and an anode layer (8) (see Figure 2). The transparent substrate reads upon the "transparent supporting substrate." The color conversion film/filter reads upon the "color-converting filter layers." The protective layer (6) reads upon the "polymeric film layer" as it is comprised of resin (see col. 10, lines 22-32). The inorganic layer (7) reads upon the insulating film component of the "inorganic film layer," because the insulating film comprises SiO₂ (see col. 10, lines 33-41). The anode layer (8) reads upon the metallic film component of the "inorganic film layer." The anode layer is formed by sputtering transparent (ITO), indium tin oxide (see col. 13, lines 28-30). The fluorescent color conversion filters (i.e. (1) ± (2) layers) have a thickness of 7 micrometers (see col. 13, line 2). Tomiuchi discloses a fluorescent color conversion layer may be used with each filter layer, although the conversion layer (1) is not shown with (3) and (4) in the figures (see col. 9, lines 49-53). The anode layer further reads upon formation of a first electrode per instant claim 6. The device further comprises an organic luminous layer (11) and a cathode (13) per instant claim 6 (see figure 2).

As in the rejection based on Kobayashi, the examiner relies upon the anode layer to "read on" two separate layers in the present claims. That is, she states that "the anode layer (8) reads upon the metallic film component of the 'inorganic film layer'... the anode layer **further reads upon** formation of a first electrode per instant claim 6 (emphasis added)." The fallacy of this approach has been discussed above, and those comments are incorporated here by reference. There is no proper anticipation of the present claims by Tomiuchi.

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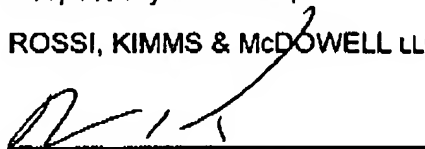
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Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If there are any problems with this response, Applicant's attorney would appreciate a telephone call. In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,
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06/22/05
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